

SIKKIM



GOVERNMENT

GAZETTE

**EXTRAORDINARY
PUBLISHED BY AUTHORITY**

Gangtok

Tuesday 23rd July, 2019

No. 314

**GOVERNMENT OF SIKKIM
DEPARTMENT OF PERSONNEL, ADMINISTRATIVE REFORMS
TRAINING AND PUBLIC GRIEVANCES,
GANGTOK - 737101**

No. 17/GEN/DOP

Dated: 8/07/2019

NOTIFICATION

In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of Sikkim hereby makes the following rules, namely:-

**Short title,
commencement
and application**

1. (1) These rules may be called the Sikkim Government Service (Leave Travel Concession) Rules, 2019.
- (2) They shall be deemed to have come into force on the 1st day of January 2019.
- (3) Subject to the provisions of sub-rule (5), these rules shall apply to all persons,-
 - (i) appointed or holding Group A and B posts in the State Government service in connection with the affairs of the State;
 - (ii) employed under the State Government and who are on deputation with the Central Government;
- (4) These rules shall not apply to, -
 - (i) persons re-employed after retirement.
 - (ii) persons not in whole-time employment;
 - (iii) persons in casual and daily rated employment;
 - (iv) persons paid from contingencies;
 - (v) person employed on work-charged establishment;
 - (vi) members of the All India Services.
- (5) In the case of persons belonging to categories mentioned admissible on completion of 1 (one) year's continuous service

under the State Government provided it is certified by the appropriate administrative authority that the employee concerned is likely to continue to serve under the State Government for at least 4 (four) years in the case of leave travel concession to any place in India to be reckoned from the date of his joining the post under the State Government.

Scope

2. The leave travel concession will cover the Government servant himself and his family.

Definitions

3. In these rules, unless the context otherwise requires,-
 - (a) **"a place in India"** will cover any place within the territory of India, whether it is on the mainland India or overseas; If there are any local restrictions on visits to places in border areas, it is the responsibility of the Government servant undertaking the visit to fulfill the conditions for visit to the places which are subject to local restrictions.
 - (b) **"Administrative Department"** means the Department of Personnel, Adm. Reforms and Training, Government of Sikkim;
 - (c) **"Controlling Authority"** means an officer declared as such under sub-rule (3) of rule 3 of the Sikkim Travelling Allowance Rules, 1980;
 - (d) **"Disciplinary Authority"** shall have the same meaning as assigned in clause (c) of rule 2 of the Sikkim Government Servants (Discipline and Appeal) rules, 1985;
 - (e) **"Family"** means:-
 - (i) the Government servant's wife or husband, as the case may be, and two surviving unmarried children or step children wholly dependent on the Government servant, irrespective of whether they are residing with the Government servant or not;
 - (ii) married daughters who have been divorced, abandoned or separated from their husbands and widowed daughters and are residing with the Government servant and are wholly dependent on the Government servant;
 - (iii) parents and/or step mother residing with and wholly dependent on the Government servant;
 - (iv) unmarried minor brothers as well as unmarried, divorced, abandoned, separated from their husbands or widowed sisters residing with and wholly dependent on the Government servant, provided their parents are either not alive or are themselves wholly dependent on the Government servant.

EXPLANATIONS:

- I. The restriction of the concession to only two surviving children or step children shall not be applicable in respect where the number of children exceeds two as a result of second child birth resulting in multiple births.
- II. Though it is not necessary for the spouse and children to reside with the Government servant so as to be eligible for the Leave Travel Concession, the concession in their cases shall, however, be restricted to the actual distance traveled or the distance between the headquarters/place of posting of the Government servant and the place of visit, whichever is less.
- III. Children of divorced, abandoned, separated from their husbands or widowed sisters are not included in the term "Family".
- IV. A member of the family whose income from all sources, including pension, but excluding Dearness and Medical Relief on pension does not exceed Rs.9000/-p.m. is deemed to be wholly dependent on the Government servant.
- V. "**shortest direct route**" shall have the same meaning as given in note 1 to rule 12 of the Sikkim Travelling Allowance Rules, 1980.

Declaration of place of visit under Leave Travel Concession to any place in India

4. When the concession to visit any place in India is proposed to be availed of by a Government servant or any member of the family of such Government servant, the intended place of visit shall be declared by the Government servant in advance to his Administrative Department. The declared place of visit may be changed before the commencement of the journey with the approval of his Administrative Department but it may not be changed after the commencement of the journey except in exceptional circumstances where it is established that the request for change could not be made before the commencement of the journey owing to circumstances beyond the control of the Government servant. This relaxation may be made by the Administrative Department.

Admissibility of Leave Travel Concession

5. (1) The leave travel concession shall be admissible to persons of the categories specified in clauses (i) and (ii) of sub-rule (3) of rule 1 only, if they have completed 1 (one) year of continuous service under the State Government on the date of journey performed by them or their families, as the case may be, to avail of the concession.
 - (a) The LTC to a Government servant and his family shall be admissible for the journeys from the headquarters to the declared place of destination and back performed by the shortest route.
 - (b) Where the shortest route by which the journey is required to be performed is disrupted due to accidents or other

causes, the power to grant reimbursement by the actual route traveled may be exercised by the Administrative Department.

- (2) The leave travel concession shall be admissible during any period of leave, including casual leave.
- (3) LTC shall not be admissible on resignation as well as when a Government servant who proceeds on regular leave and then resigns his post without returning to duty.
- (4) A Government servant under suspension cannot avail of LTC as he is not entitled to any kind of leave including casual leave during the period of suspension.
- (5) **When both husband and wife are Government servants and are residing together:** they could, at their option, choose to declare separate hometown and both of them may claim the concession separately in respect of the members of their respective families subject to the condition that if husband or wife avails the facility as a member of the family of the other, he or she will not be entitled for claiming the concession for self independently. Similarly, the children shall be eligible for the benefit in one particular block as members of the family of one of the parents only. All other conditions for admissibility of the LTC shall continue to be applicable as per normal provisions of the scheme.
- (6) LTC to visit any place in India once in four years will be allowed both ways during leave preparatory to retirement provided the return journey is completed before the expiry of the leave preparatory to retirement.

Block years for leave travel concession

6. The leave travel concession to any place in India shall be admissible irrespective of the distance of the place of visit from the headquarters of the Government servant, once in a block of four calendar years starting from 1st day of January 2019. The block calendar year will be 2019-2022, 2023-2026 and so on.

Counting of leave travel concession against particular blocks

7. A Government servant and members of his family availing of leave travel concession may travel in different groups at different times during a block of four years, as the case may be. The concession so availed of will be counted against the block of four years within which the outward journey commenced, even if the return journey was performed after the expiry of the block of four years.

Entitlement

8. For travel under the scheme of Leave Travel Concession the entitlement shall be as per entitlements during official tour.

Reimbursement

9. Reimbursement under the leave travel concession scheme shall not cover incidental expenses i.e., Daily Allowance, Lodging charges and expenditure incurred on local journeys. Reimbursement for expenses of journey shall be allowed only on the basis of a point to point journey on a through ticket over the shortest direct route.

- Forfeiture of claim** 10. A claim for reimbursement of expenditure incurred on journey under leave travel concession shall be submitted within 3 (three) months after the completion of the return journey, if no advance had been drawn. Failure to do so will entail forfeiture of the claim and no relaxation shall be permissible in this regard.
- Grant of advance and adjustment thereof** 11. (1) Advance may be granted to Government servants on approval of the LTC sought. The amount of such advance in each case shall be limited to 90% of the estimated amount and the actual admissible cost of journeys both ways shall be reimbursable to the Government servant on submission of the details.
- (2) The claim for reimbursement of the expenditure incurred on the journey shall have be submitted within 1 (one) month of the completion of the return journey. If a Government servant fails to submit the claims within stipulated time, he shall be required to refund the entire amount of advance forthwith in one lump sum.
- (3) Advance on account of LTC may be sanctioned by the HoD/ Head of the Office as the case may be.
- Fraudulent claim of leave travel concession** 12. If a decision is taken by the Disciplinary Authority to initiate disciplinary proceedings against a Government servant on the charge of preferring a fraudulent claim of leave travel concession, such Government servant shall not be allowed leave travel concession till the finalisation of such disciplinary proceedings.
- Interpretation** 13. If there is any doubt regarding any of the provisions in these rules, the matter may be referred to the Department of Personnel, Administrative Reforms and Training, Government of Sikkim, for clarification.
- Power to relax** 14. Save as otherwise provided in these rules, where the Administrative Department of the Government is satisfied that the operation of any of these rules causes undue hardship in any particular case, it may, as the case may be, by order, for reasons to be recorded in writing, dispense with or relax the requirements of that rule to such extent and subject to such exception and conditions as it may consider necessary for dealing with the case in a just and equitable manner.

By order and in the name of the Governor.

Siphorah Targain, SCS
SPECIAL SECRETARY TO THE GOVERNMENT
DEPARTMENT OF PERSONNEL, ADMINISTRATIVE REFORMS,
TRAINING AND PUBLIC GRIEVANCES

FORMS

1

Application Form for grant of LTC advance

1. Name of the Government servant:
2. Designation:
3. Date of entering the State Government Service:
4. Present pay in the Pay Matrix and Level:
5. Whether permanent or temporary:
6. Whether wife/husband is employed and if so whether entitled to LTC:
7. Block for which LTC is sought to be availed:
8. Persons in respect of whom LTC is proposed to be availed:

SI No	Name	age	relation

9. Estimated details of Air fare(for entitled class) /rail fare/bus fare from the headquarters to place of visit and back by shortest route

SI No	Place of Departure	Place of Arrival	Approx. Distance in km	Mode of travel	Class of Accommodation	No. of fares	Estimated amount of fare	Remarks
1	2	3	4	5	6	7	8	9

10. Amount of advance required Rs.

I declare that the particulars furnished above are true and correct to the best of my knowledge. I undertake to claim reimbursement within one month of the completion of the journey for adjustment of advance.

In the event of cancellation of the journey or if I fail to claim reimbursement within stipulated time, I undertake to refund the entire advance in one lumpsum.

Signature:

Date:

Name of Govt. Servant:

Designation:

Office attached to:

Department:

CHECK LIST
(For use in Office)

1. Particulars in Cols. 1 to 6 verified
2. Amount entitled for reimbursement
3. Advance admissible (90% of amount in 2)

Advance of Rs.....may be sanctioned.

Drawing and Disbursing Officer

Department_____